

MESSAGE NO: 7067201 MESSAGE DATE: 03/08/2007

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 4322201
MESSAGE #
(s):

CASE #(s): A-583-837

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 12/21/2001 TO 06/30/2003

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: AUTOMATIC LIQUIDATION INSTRUCTION FOR POLYETHYLENE TEREPHTHALATE
FILM FROM TAIWAN(A-583-837) (ALL EXCEPT SHINKONG AND NAN YA)

MESSAGE NO: 7067201

DATE: 03 08 2007

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 4322201

REFERENCE DATE: 11 17 2004

CASES: A - 583 - 837

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PERIOD COVERED: 12 21 2001 TO 06 30 2003

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: AUTOMATIC LIQUIDATION INSTRUCTION FOR POLYETHYLENE
TEREPHTHALATE FILM FROM TAIWAN(A-583-837)
(ALL EXCEPT SHINKONG AND NAN YA)

1. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT
ADMINISTRATIVE REVIEWS OF ANTIDUMPING DUTY ORDERS. INSTEAD,
REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 351.213 OF
THE COMMERCE DEPARTMENT REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN
ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER FOR THE
PERIODS AND ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE
FIRMS NOTED. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF

THE COMMERCE DEPARTMENT REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY.

POLYETHYLENE TEREPHTHALATE FILM FROM TAIWAN (A-583-837)
12/21/2001 - 06/30/2003

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

A-583-837-001 SHINKONG SYNTHETIC FIBERS CORP.

A-583-837-002 NAN YA PLASTIC CORPORATION, LTD.

3. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 12/21/2001 THROUGH 06/30/2003 OCCURRED WITH THE PUBLICATION OF THE NOTICE OF INITIATION OF ADMINISTRATIVE REVIEW FOR THE (07/2003) ANNIVERSARY MONTH (68 FR 50750, 08/22/2003). YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR

SUBSEQUENT ENTRIES OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES. FOR LIQUIDATION OF ENTRIES MANUFACTURED BY SHINKONG SYNTHETIC FIBERS CORP.(A-583-837-001), SEE CBP MESSAGE 4243201. FOR LIQUIDATION OF ENTRIES MANUFACTURED BY NAN YA PLASTIC CORPORATION, LTD.(A-583-837-002), SEE CBP MESSAGE 4322201.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY U.S. CUSTOMS AND BORDER PROTECTION (CBP) ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE

CODE OF 1954 FOR SUCH PERIOD.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O6:JJZ).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party